

**NOTICE OF REGULAR MEETING  
OF THE KENDALL COUNTY COMMISSIONERS COURT**



**NOTICE** is hereby given that a regular meeting of the above named Commissioners Court will be held on the 26<sup>th</sup> day of **March, 2012** at **9:00 a.m.** in the **Kendall County Courthouse, Third Floor Assembly Room**, 201 E. San Antonio, Boerne, Texas, at which time the following will be discussed and appropriate action taken; pursuant to V.T.C.A. Government Code Chapter 551, Open Meetings Act, including all Subchapters and Sections:

All matters listed on the following Agenda may be discussed in executive session at the option of the Kendall County Commissioners Court and following verbal announcement, if an appropriate exception to the open meeting requirement of the Texas Open Meetings Act is applicable.

**NO CELL PHONES, AUDIBLE PAGERS, AND/OR BEEPERS SHALL BE USED WHILE COURT IS IN SESSION**

Pledge of allegiance to the United States Flag  
Pledge of allegiance to the Texas Flag

1. Call to Order - 9:00 a.m.  
Comments from Judge Gaylan L. Schroeder
  
2. Presentation of Service Awards to:

<b>Robert Kinsey</b>	<b>Facilities</b>	<b>5 years</b>
<b>Mary Frances Craig</b>	<b>Victim's Services</b>	<b>15 years</b>
<b>Milburn Dearing</b>	<b>Precinct 2 Constable</b>	<b>10 years</b>
  
3. Consideration and action on approval of minutes for March 12, 2012:  
Sally Peters, Deputy Clerk
  
4. Consideration and action on approval of Monthly Reports for February 2012: Dana Baethge, County Auditor
  
5. Consideration and action on approval of claims for purchases, services, and vendors: Cherry Russell, Assistant Auditor
  
6. Consideration and action to approve Financial Report for January, 2012:  
Sheryl D'Spain, County Treasurer
  
7. Presentation of Sales Tax report for March, 2012: Sheryl D'Spain, County Treasurer

**KENDALL COUNTY COMMISSIONERS COURT**

**MARCH 26, 2012/PAGE 2**  
**REGULAR MEETING**

8. **PUBLIC COMMENTS**— opportunity for the general public to address the Court on any matter. The Court may not discuss any presented issue, nor may any action be taken on any issue at this time. Please limit comments to 3 minutes.
9. Consideration and action on the burn ban (Authority Section 352.081, Texas Local Government Code): Gaylan L. Schroeder, County Judge
10. Consideration and action to adopt Resolution 03-26-2012A declaring April 7, 2012 as Shriners Hospitals for Children Day in Kendall County, Texas: Gaylan L. Schroeder, County Judge / Bob Easterling, Boerne Shriners
11. Status report concerning Criminal Justice Division (CJD) mandated requirement. CJD has mandated all Counties applying for grants to reach a 90% completeness rate for adult criminal histories for 2006 – 2010: Don Allee, County Attorney / Donna Sharp, County Attorney’s Assistant
12. **Public Hearing (9:15)** - The Court will receive comments from the public regarding:
  1. Application filed by Darren S. and Stacy D. Fallis for the proposed revision of the subdivision plat for River Mountain Ranch Section One(Lot 28A) filed in Volume 5, Pages 7-8 of the Plat Records of Kendall County, Texas. The plat revision will eliminate various easements and create a lot for a subdivision sign  
Gene Miertschin, Commissioner Precinct 2
13. Consideration and action on a request for relief for lot size, road frontage and density in accordance with Section 300.1100 of the Kendall County Development Rules and Regulations. The proposed division (River Mountain Ranch Section One, Lot 28A) would result in two lots of 0.066 acres (subdivision sign)and 7.181 acres (residential). (Darren S. and Stacy D. Fallis):  
Gene Miertschin, Commissioner Precinct 2
14. **Public Hearing (9:15)** - The Court will receive comments from the public regarding:
  1. Application filed by River Mountain Ranch Property Owners Association for the proposed revision of the subdivision plat for River Mountain Ranch Section One (Lot 30)filed in Volume 2, Pages 319-327 of the Plat Records of Kendall County, Texas. The plat revision will create a lot for a proposed community mail box facility.  
Gene Miertschin, Commissioner Precinct 2

**MARCH 26, 2012/PAGE 3  
REGULAR MEETING**

15. Consideration and action on a request for lot size, road frontage and density in accordance to Section 300.1100 of the Kendall County Development Rules and Regulations. The proposed division (River Mountain Ranch Section One, Lot 30) would result in two lots of 1.00 acre (mail box location) and 4.199 acres (residential). (River Mountain Ranch Home Owners Association):  
Gene Miertschin, Commissioner Precinct 2
16. Consideration and action on an application to abandon High Water Route:  
Kenneth M. Rusch, Commissioner Precinct 4
17. Discuss and approve, or disapprove, authorizing the County Attorney to employ counsel to prepare a brief requesting an Attorney General's opinion concerning the levying of a Comal County Emergency Services District Tax upon the customers of Guadalupe Valley Telephone Coop, who are residents of Kendall County: Gene Miertschin, Commissioner Precinct 2
18. Consideration and action to adopt Resolution 03-26-2012B supporting the placement of public art on the Kendall County Courthouse grounds: Gene Miertschin, Commissioner Precinct 3
19. Consideration and action concerning Resolution 03-26-2012C approving constitutionally granted exemption from Ad Valorem Taxes – Freeport Goods:  
Gaylan L. Schroeder, County Judge /Don Allee, County Attorney
20. Discuss and take action to pay Road & Bridge employee(s) for emergency call out: Gene Sparks, Road & Bridge Operations Manager
21. Present summary of activities by Road and Bridge during February, 2012 to Commissioners Court: Ricky Pfeiffer, Road Superintendent
22. Present summary of activities by the Development Management Department during February, 2012: Richard Tobolka, Development Manager
23. Present summary of activities by the Parks Department during February, 2012: Richard Tobolka, Parks Director
24. Presentation by members of the Kendall County Historical Commission concerning proposals for the 150<sup>th</sup> Anniversary of the founding of Kendall County. Action as needed: Gene Miertschin, Commissioner Precinct 2

**BREAK**

**EXECUTIVE SESSION (Closed to public)**

**Pursuant to Chapter 551 of the Texas Government Code**


- I. The Court will meet in Executive Session pursuant to Section 551.072 to deliberate the purchase, exchange or value of real property**
  
- II. Commissioners Court will meet in Executive Session pursuant to Section 551.071 Government Code, V.T.C.S. to seek the advice of the County Attorney and or attorney(s) representing the County, concerning pending and / or threatened litigation and / or matters in which the duties of the attorney(s) under the Texas Rules of Professional Conduct of the State Bar of Texas require confidential communications. Specific topics to be discussed are as follows:**
  - 1. County authority concerning subdivisions, county roads and bridges, and legal requirements of redistricting**
  - 2. EEOC Complaints**

**RESUME OPEN SESSION AND TAKE ANY NECESSARY ACTION  
RESULTING FROM EXECUTIVE SESSION DELIBERATIONS**

**ADJOURNMENT**

**MARCH 26, 2012/PAGE 5  
REGULAR MEETING**

**Dated this the 22<sup>nd</sup> day of March, 2012.**

  
\_\_\_\_\_  
Gaylan L. Schroeder  
Kendall County Judge

I, the undersigned County Clerk, do hereby certify NOTICE of Regular meeting of the above named Commissioners Court is a true and correct copy of said Notice and that I have caused said Notice to be posted on the door at the Courthouse of Kendall County, Texas located at 201 E. San Antonio Street on the 22<sup>nd</sup> day of March, 2012.

  
\_\_\_\_\_  
Darlene Herrin  
County Clerk

Posted at 2:00 P.M. on the 22<sup>nd</sup> day of March, 2012- *ceb*

NOTE: The Kendall County Commissioners Court complies with A.D.A. requirements. If you have an impairment and wish to appear at a meeting, please call (830)249-9343, 48 hours in advance to make arrangements.

**KENDALL COUNTY COMMISSIONERS COURT**